

No.

9900241



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Abbott & Cobb, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH AND THE TITLE THEREOF IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WATERMELON

'W-9809'

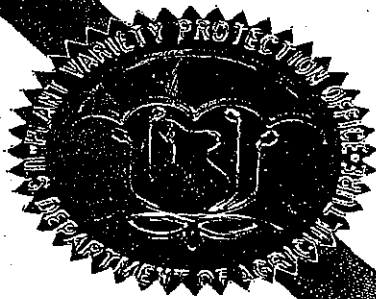
In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirtieth day of July in the year of our Lord one thousand nine hundred and ninety-nine.

Attest:

Ann Marie F. [Signature]

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

<p>1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)</p> <p style="font-size: 1.2em;">Abbott & Cobb, Inc</p>		<p>2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER</p> <p style="font-size: 1.2em;">W-9809</p>	<p>3. VARIETY NAME</p> <p style="font-size: 1.2em;">W-9809</p> <p style="font-size: 1.2em;">AAA per cert. order form</p>
<p>4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)</p> <p style="font-size: 1.2em;">P.O. Box 307 Feasterville, PA 19053-0307</p>		<p>5. TELEPHONE (include area code)</p> <p style="font-size: 1.2em;">(215) 245-6666</p>	<p style="text-align: center;">FOR OFFICIAL USE ONLY</p> <p>PVPO NUMBER</p> <p style="font-size: 1.2em;">9900241</p>
<p>7. GENUS AND SPECIES NAME</p> <p style="font-size: 1.2em;">Citrullus lanatus</p>		<p>6. FAX (include area code)</p> <p style="font-size: 1.2em;">(215) 245-9043</p>	
<p>9. CROP KIND NAME (Common name)</p> <p style="font-size: 1.2em;">Watermelon</p>		<p>8. FAMILY NAME (Botanical)</p> <p style="font-size: 1.2em;">Cucurbitaceae</p>	
<p>10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)</p> <p style="font-size: 1.2em;">Corporation</p>			
<p>11. IF INCORPORATED, GIVE STATE OF INCORPORATION</p> <p style="font-size: 1.2em;">Pennsylvania</p>		<p>12. DATE OF INCORPORATION</p> <p style="font-size: 1.2em;">Jan-2-1974</p>	
<p>13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS</p> <p style="font-size: 1.2em;">Arthur Abbott P.O. Box 307 Feasterville, PA 19053-0307</p>		<p>14. TELEPHONE (include area code)</p> <p style="font-size: 1.2em;">(215) 245-6666</p>	
<p>15. FAX (include area code)</p> <p style="font-size: 1.2em;">(215) 245-9043</p>		<p>16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)</p> <p>a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety</p> <p>b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness</p> <p>c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety</p> <p>d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)</p> <p>e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership</p> <p>f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)</p> <p>g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)</p>	
<p>17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)</p> <p><input type="checkbox"/> YES If "yes," answer items 18 and 19 below <input checked="" type="checkbox"/> NO If "no," go to item 20</p>			
<p>18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>		<p>19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?</p> <p><input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED</p>	
<p>20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?</p> <p><input checked="" type="checkbox"/> YES If "yes," give names of countries and dates <input type="checkbox"/> NO</p> <p style="font-size: 1.2em;">Hybrids made from W-9809 have been selling in the USA since 8/1/98</p>			
<p>21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.</p> <p>The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.</p> <p>Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.</p>			
<p>SIGNATURE OF APPLICANT (Owner(s))</p> <p style="font-size: 1.5em;">John F. Malley</p>		<p>SIGNATURE OF APPLICANT (Owner(s))</p>	
<p>NAME (Please print or type)</p> <p>JOHN F. MALLEY ABBOTT & COBB, INC.</p>		<p>NAME (Please print or type)</p>	
<p>CAPACITY OR TITLE</p> <p>VICE PRESIDENT PRODUCTION</p>		<p>CAPACITY OR TITLE</p>	
<p>DATE</p> <p>3/19/99</p>		<p>DATE</p>	

INSTRUCTIONS

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GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed Exhibits A, B, C, E; (3) at least 2,500 viable untreated seeds, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,450 (\$300 filing fee and \$2,150 examination fee), payable to "Treasurer of the United States" (*See Section 97.6 of the Regulations and Rules of Practice.*) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Blvd., Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$300 for issuance of the Certificate.

Plant Variety Protection Office
Telephone: (301) 504-5518

ITEM

- 16a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
- (2) the details of subsequent stages of selection and multiplication;
- (3) evidence of uniformity and stability; and
- (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified.
- 16b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
- (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences;
- (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 16c. Exhibit C forms are available from the PVPO for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 16d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 16e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
17. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant may NOT reverse this affirmative decision after the variety has been sold and so labelled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (*See Regulations and Rules of Practice, Section 97.103.*)
20. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment is specified in Section 97.175 of the regulations. (*See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of Regulations and Rules of Practice.*)

To avoid conflict with other variety names in use, the applicant should check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705.
Telephone: (301) 504-8089.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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EXHIBIT A

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BREEDING HISTORY: W-9809

W-9809 resulted from a breeding program, involving crossing, back crossing and selfing among three distinct parental genotypes. The parental genotypes used were:

- a) an F3 pedigree selection developed by selfing Royal Majesty, an F1 diploid hybrid, and,**
- b) A selection from Fusarium resistant Peacock, WR60, and,**
- c) A selection of Allsweet**

The breeding objectives were to develop an inbred line of a later maturing Allsweet type but with similar rind pattern and fruit size. Selection criteria were applied for the following horticultural, morphological and physiological characteristics:

- 1) intense red flesh color**
- 2) dark seeds of small to medium size.**
- 3) Long, blocky fruits, close in size and rind pattern to Allsweet.**
- 4) firm texture, with better than average after harvest shelf life**
- 5) small seed cavities**

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- 6) good shipping quality
- 7) Brix reading of 12-13 %
- 8) resistance to Fusarium wilt race 1 and anthracnose race 1
- 9) Resistance to "Bottle necking "
- 10) Resistance to Rind Necrosis
- 11) Resistance to hollow heart, placental separation and transverse cracking
- 12) Resistance or tolerance to sunburn
- 13) Commercially acceptable parent for F1 hybrid seed production.

Selection criteria for the above characteristics were initiated at the F2 and subsequent generations in breeding nurseries grown in Central California and South Texas. Resistances to Fusarium wilt race 1 and anthracnose race 1 were confirmed by controlled greenhouse inoculation tests. Combining ability and seed productivity tests were conducted at the F-4 and subsequent generations. Extensive trial testing in Central California and South Texas over three years period have confirmed W-9809 to be distinct, uniform, and stable.

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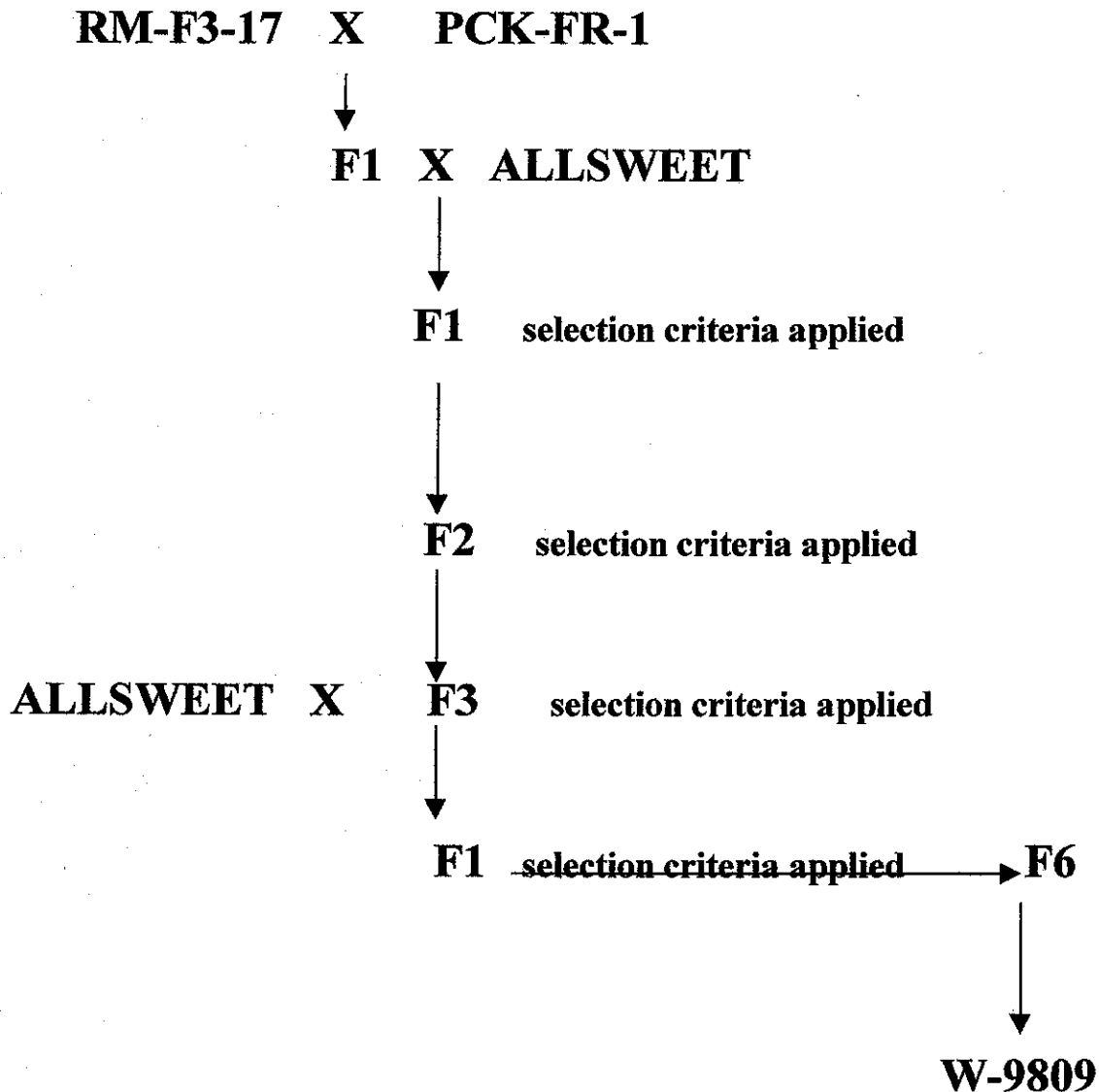
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EXHIBIT A : W-9809

BREEDING FLOW CHART



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EXHIBIT A : W-9809**PARENTAL GENOTYPES USED**

The parental genotypes used in this breeding program and their relative contributions are as follows:

- 1) An F3 selection from Royal Majesty, designated " RM-F3-17 ". It was selected from a segregating population. The selected, single fruit was of medium size, Allsweet-type rind, small-medium dark seeds, deep red flesh and small seed cavity. It was also free of any physiological or morphological disorders. RM-F3-17 was resistant to Fusarium wilt race 1 and Anthracnose race 1.
- 2) A single plant selection, from Fusarium resistant Peacock WR60. This plant had a high level of resistance to Fusarium wilt race 1, had intense red flesh, and excellent shipping qualities. This pedigree was designated : PCK-FR-1.

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- 3) Allsweet. This Variety was used in this breeding program because of its large fruits, excellent texture, small seed cavity, and wide adaptability. However, Allsweet is known to be susceptible to "Bottle Necking" under stressful growing conditions.**

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EXHIBIT B : W-9809

Statement of Distinctness

The fruits of W-9809 are close to those of Allsweet in size and rind pattern. However, it differs from Allsweet in several aspects. Allsweet has long , narrow fruits, whereas the fruits of W-9809 are more blocky and with larger diameters. Allsweet has light red flesh whereas W-9809 has deep red flesh color. Also, W-9809 has small to medium solid dark seeds, while Allsweet has small to medium brown mottled seeds. In all comparative test plantings in Central California and South Texas, Allsweet had high incidence of Bottle Necking , while W-9809 was completely free of this disorder. W-9809 had a maturity rating of 92 days compared to Allsweet maturity rating of 90 days.

W-9809 also differs from Calsweet in that Calsweet was extremely susceptible to rind necrosis in several test plantings, whereas W-9809 was completely free of this physiological disorder.

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W-9809 also differs from Sunsweet in two main aspects: Sunsweet has a rated maturity of 85 days, whereas W-9809 has a rated maturity of 92 days. The texture of Sunsweet was very soft at maturity time, whereas, the flesh of W-9809 was much firmer.

W-9809 differ from W-9812 and W-9811 by one or more of the following characteristics: Relative maturity, fruit size, seed size and seed weight.

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UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 COMMODITIES SCIENTIFIC SUPPORT DIVISION
 BELTSVILLE, MARYLAND 20705

FORM APPROVED - OMB NO. 0581-0055

EXHIBIT C
 (Watermelon)

OBJECTIVE DESCRIPTION OF VARIETY
 WATERMELON (CITRULLUS LANATUS)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S)

Abbott & Cobb, Inc.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

P.O. Box 307

Feasterville, PA 19053-0307

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PVPO NUMBER

9900241

VARIETY NAME OR TEMPORARY
 DESIGNATION

W-9809

Place the appropriate number that describes the varietal character of this variety in the boxes below.
 Place a zero in first box (e.g. or) when number is either 99 or less or 9 or less.

1. TYPE:

1 - OBLONG 2 - ROUND LARGE 3 - ROUND SMALL (icebox)

2. AREA OF BEST ADAPTATION:

1 - SOUTH 2 - NORTHEAST/NORTHCENTRAL 3 - SOUTHWEST 4 - MOST AREAS

3. EMERGENCE TO ANTHESIS:

NO. OF DAYS EARLIER THAN 1 - CHARLESTON GREY
 NO. OF DAYS LATER THAN 2 - OTHER (Specify) ALLSWEET

4. POLLINATION TO MATURITY:

NO. OF DAYS EARLIER THAN 1 - CHARLESTON GREY
 NO. OF DAYS LATER THAN 2 - OTHER (Specify) ALLSWEET

5. PLOIDY:

1 - DIPLOID 2 - TETRAPLOID 3 - TRIPLOID

6. PLANT

Cotyledon: 1 - FLAT 2 - FOLDED 1 - MONOECIOUS 2 - ANDROMONOECIOUS

Number of flowers per plant at first fruit set:

STAMINATE PISTILLATE PERFECT NO. OF MAIN STEMS AT CROWN

7. STEM:

1 - ROUND 2 - ANGULAR MM. DIAMETER AT SECOND NODE
 1 - GLABROUS 2 - SCABROUS 3 - PUBESCENT 4 - BRISTLED

CM. VINE LENGTH ÷ NO. OF INTERNODES. (At last harvest)

8. LEAF:

1 - OVATE 2 - OBOVATE 3 - ROUND 1 - LONGER THAN WIDE 2 - LENGTH-WIDTH EQUAL
 Dorsal Surface: 3 - WIDER THAN LONG
 Ventral Surface: 1 - SMOOTH 2 - PUBESCENT Color: 1 - LIGHT GREEN 2 - GRAY GREEN
 3 - MEDIUM GREEN 4 - DARK GREEN

9. FLOWER (At first fruit set):

Staminate: CM. ACROSS pistillate Perfect: CM. ACROSS Color: 1 - LEMON YELLOW 2 - YELLOW 3 - ORANGE

10. MATURE FRUIT:

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1 = ROUND 2 = OVAL 3 = CYLINDRICAL CM. LONG CM. DIAMETER AT MIDSECTION
 KG. AVERAGE WEIGHT INDEX = LENGTH ÷ DIAMETER X 10
 1 = SMOOTH 2 = SLIGHTLY GROOVED 3 = DEEPLY GROOVED
 Color: 1 = SOLID (One color) 2 = STRIPE 3 = MOTTLE/NET
 Primary Color: } 1 = YELLOW GREEN (Desert King) 2 = LIGHT GREEN (Charleston Grey) 3 = MEDIUM GREEN (Sugar Baby)
 Secondary Color: } 4 = DARK GREEN (Florida Giant) 5 = OTHER (Specify) _____

11. RIND:

1 = TENDER 2 = BRITTLE 3 = TOUGH THICKNESS MM. BLOSSOM END
 THICKNESS MM. SIDES

12. FLESH:

1 = CRISP 2 = SOFT 1 = COARSE-FIBROUS 2 = FINE-LITTLE FIBER
 Color: 1 = YELLOW 2 = ORANGE 3 = PINK 4 = RED 5 = DARK RED
 REFRACTOMETER % SOLUBLE SOLIDS OF JUICE (Center of fruit) % CHECK VARIETY (Specify) CALSweet
 % HOLLOW HEART % PLACENTAL SEPARATION % TRANSVERSE CRACK

13. SEED:

MM. LONG MM. WIDE MM. THICK
 INDEX ÷ LENGTH ÷ WIDTH X 10 GM. PER 1000 SEED NO. SEED PER FRUIT
 Color: 1 = WHITE 2 = WHITE-TAN TIPPED 3 = WHITE-PINK TIPPED 4 = TAN 5 = GREEN
 6 = RED 7 = DARK BROWN 8 = DARK BROWN MOTTLED 9 = BLACK 10 = MOTTLED BLACK

14. DISEASE RESISTANCE: (0 = Untested, 1 = Susceptible, 2 = Resistant)

ANTHRACNOSE (Race 1) DOWNY MILDEW FUSARIUM WILT GUMMY STEM BLIGHT
 SQUASH MOSAIC WATERMELON MOSAIC POWDERY MILDEW CUCUMBER MOSAIC
 OTHER (Specify) _____

15. OTHER RESISTANCE: (0 = Untested, 1 = Susceptible, 2 = Resistant)

SUNBURN ROOT KNOT OTHER (Specify) _____

16. NAME A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED:

Days maturity	<u>CALSweet</u>	Fruit shape	<u>CALSweet</u>
Plant vigor	<u>ALLSweet</u>	Rind color	<u>ALLSweet</u>
Fruit Size	<u>ALLSweet</u>	Flesh quality	<u>Peacock</u>

REFERENCES:

1. Frey, K. J. 1966. Plant Breeding - Symposium. 1 ed. Iowa State University Press.
2. Ware, G. W. and McCollum, J. P. 1968. Producing Vegetable Crops. Interstate Printers & Publishers, Inc. Danville, Illinois.
3. Whitaker, T. W. and Davis, G. N. 1962. Cucurbits. Interscience Publishers, Inc. New York.
4. Nickerson's or any recognized color fan should be used to determine the plant colors of the described variety.



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EXHIBIT E: W-9809

Statement of ownership

Abbott and Cobb, Inc., is the sole owner of W-9809. The cost of development of this inbred was exclusively from the company own funds. All the parental genotypes used to develop W-9809 are legally unrestricted.

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